

CHAPTER 18. TRAFFIC RULES

18.1 Traffic Filings

The Clerk's Office, Traffic Division, is responsible for all traffic and nontraffic infractions.

Eff. Jan. 1, 1999.

18.2 Pretrial Appearances

Traffic court arraignments shall be set according to the General Order adopted pursuant to rule 2.2 of the local rules.

A defendant may appear at the traffic division counter to request an appearance in court. The clerk shall then advise the defendant regarding arraignment procedures.

At the arraignment, the defendant shall enter a plea of guilty, not guilty, nolo contendere, etc. When a plea of not guilty is entered, the clerk shall assign a trial date. Upon the entry of a plea of guilty, the court may set the amount of fine and the date payment is due or grant a request for attendance at a licensed traffic violator's school if the defendant is eligible. In the event a defendant is ordered to attend traffic school, an administrative fee shall be collected and a date assigned for the successful completion of traffic school.

Eff. Jan. 1, 1999.

18.3 Counter Arraignments

Unless the courtesy notice states that an arraignment in court is required, the defendant may complete an arraignment form at the traffic counter and schedule a trial date with the clerk. Prior to the appearance date, the defendant may post bail and declare his/her intention to plead not guilty. The clerk shall then set the matter for trial.

Eff. Jan. 1, 1999.

18.4 Continuance Policy

On or before a due date, the clerk has authority to grant a continuance of not more than sixty (60) calendar days for any matter except a court trial and traffic school sign-up. After a case has been continued up to the sixty (60) days, any request for a continuance must be made in open court.

Eff. Jan. 1, 1999

18.5 Trial Procedures

Traffic court trials shall be set according to the schedule set forth in the applicable General Order or as otherwise directed by the court.

Eff. Jan. 1, 1999.

18.6 Appeals

If judgment is rendered against the defendant, the defendant has thirty (30) calendar days from the entry of judgment to file an appeal. It is the defendant's responsibility to file the appropriate forms with the clerk of court.

Eff. Jan. 1, 1999.

18.7 Traffic School

The court may accept attendance at a certified traffic school as grounds for dismissal of a minor traffic infraction.

In addition to the eligibility criteria established pursuant to California Rule of Court, rule 851, traffic school may be authorized by the clerk without further referral to a judicial officer if the defendant has not attended traffic school within the last eighteen (18) months and the speed is violation of 20 miles or less over the posted speed limit.

An administrative fee shall be collected as a prerequisite to attendance or authorization of traffic school.

Eff. Jan. 1, 1999.

18.8 Trial by Declaration

If a defendant resides more than 80 miles from the court or jurisdiction where the citation was issued, the defendant may elect to have a trial by declaration of any charged infraction.

Eff. Jan. 1, 1999.